

REMARKS/ARGUMENTS

In view of the following remarks, the applicants respectfully submit that the pending claims are not rendered obvious under 35 U.S.C. § 103. Accordingly, it is believed that this application is in condition for allowance. If, however, the Examiner believes that there are any unresolved issues, or believes that some or all of the claims are not in condition for allowance, the applicants respectfully request that the Examiner contact the undersigned to schedule a telephone Examiner Interview before any further actions on the merits.

The applicants will now address each of the issues raised in the outstanding Office Action. Before doing so, however, both the undersigned and John Pokotylo would like to thank Examiner Krishnan for courtesies extended during a telephone interview on April 28, 2010 (referred to as "the telephone interview"). The telephone interview is summarized here.

Telephone Interview Summary

This statement of the substance of the Interview summarizes the issues discussed on April 28, 2010 in a telephone interview. This Interview Summary is presented in the format suggested in MPEP § 713.04 by the Patent Office.

Date of Interview: April 28, 2010

Type of Interview: Telephone

Name of Participants:

- Examiner: Vivek Krishnan

- For Applicants: John C. Pokotylo
Leonard P. Linardakis

A. *Exhibit(s) Shown:* None

B. *Claims discussed:* 11 and 18

C. *References Discussed:* None

D. *Proposed Amendments discussed:*

- The applicants' representatives proposed canceling claim 1 and amending independent claims 11 and 18 to clarify how the aggregated messages are used to update the statuses of the interfaces.

E. *Discussion of General Thrust
of the Principal Arguments*

- The applicants' representatives proposed canceling claim 1 and amending independent claims 11 and 18 to clarify how the aggregated messages are used to update the statuses of the interfaces.

F. *Other Pertinent Matters Discussed:* None

G. *General Results/Outcome of Interview*

- Examiner Krishnan agreed that the proposed amendments would be acceptable in overcoming the art of record but would need to review the actual amendments in the applicants' response.

Rejections under 35 U.S.C. § 103

Claims 1-16, 18-21, 29-44, 46-49, 51 and 53 are rejected under 35 U.S.C. § 103(a) as being unpatentable

over "Network Working Group RFC 1583," OSPF Version 2 ("the Moy paper"), "Network Working Group Internet Draft," Fast Liveness Protocol (FLIP) ("the Sandick paper"), U.S. Patent Application Publication No. 2004/0121792 ("the Allen publication") and U.S. Patent No. 7,417,987 ("the Shenoy publication"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

First, since claims 1, 10, 29 and 38 have been canceled, this ground of rejection is rendered moot with respect to these claims.

Next, independent claims 11, 18, 39 and 46 have been amended to clarify how the act of updating neighbor node forwarding liveness status information using the aggregated message is done. Specifically, these claims have been amended to recite that the act of updating neighbor node forwarding liveness status information includes:

- i) determining, by the second node, whether the first set of at least two different interfaces of the first node is the same as a second set of at least two different interfaces of the first node included in an earlier message,
- ii) if the first set of at least two different interfaces is determined to be the same as the second set of at least two different interfaces, then for each of the at least two different interfaces of both the first and second sets having a changed status, informing, by the second node, a local

interface of the changed status of its peer interface of the first node, and

iii) if the first set of at least two different interfaces is determined to be different from the second set of at least two different interfaces, then

A) for any interface in the first set but not in the second set, informing, by the second node, a local interface of the status indicated in the aggregated message of its peer interface of the first node, and

B) for any interface in the second set but not in the first set, informing, by the second node, a local interface that the status of its peer interface of the first node is down.

The Moy paper, the Sandick paper, the Allen publication and the Shenoy patent neither teach, nor make obvious, the aforementioned features of claims 11, 18, 39 and 46, as amended. Since claims 2-9, 19-21 and 51 directly or indirectly depend from claim 18, since claims 12-16 and 53 directly or indirectly depend from claim 11, since claims 30-37 and 47-49 directly or indirectly depend from claim 46, and since claims 40-44 depend from claim 39, these claims are similarly not rendered obvious by the cited references.

Claims 17, 22, 45 and 50 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Moy and Sandick papers, the Allen publication and the Shenoy patent as applied to claims 11, 18, 39, and 46 above, and further in view of "Network Working Group RFC 1989," PPP Link Quality Monitoring (August 1996) ("the Simpson

paper"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Claims 17, 22, 45 and 50 depend from claims 11, 18, 39 and 46, respectively. Since the purported teachings of the Simpson paper do not compensate for the deficiencies of the Moy and Sandick papers, the Allen publication and the Shenoy patent with respect to claims 11, 18, 39 and 46 (discussed above), these claims are not rendered obvious by the Moy, Sandick and Simpson papers, the Allen publication and the Shenoy patent regardless of the purported teachings of the Simpson paper, and regardless of the presence or absence of an obvious reason to combine these references as proposed by the Examiner.

Claims 52 and 54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Moy and Sandick papers, the Allen publication and the Shenoy patent as applied to claims 1 and 29 above, and further in view of U.S. Patent No. 7,362,700 ("the Frick patent"). The applicants respectfully request that the Examiner reconsider and withdraw this ground of rejection in view of the following.

Claims 52 and 54, as amended, depend from claims 18 and 11, respectively. Since the purported teachings of the Frick patent do not compensate for the deficiencies of the Moy and Sandick papers, the Allen publication and the Shenoy patent with respect to claims 18 and 11 (discussed above), these claims are not rendered obvious by the Moy and Sandick papers, the Allen publication and the Shenoy and Frick patents, regardless of the purported

teachings of the Frick patent, and regardless of the presence or absence of an obvious reason to combine these references as proposed by the Examiner.

Conclusion

In view of the foregoing remarks, the applicants respectfully submit that the pending claims are in condition for allowance. Accordingly, the applicants request that the Examiner pass this application to issue.


Any arguments made in this request for reconsideration pertain **only** to the specific aspects of the invention **claimed**. Any claim amendments or cancellations, and any arguments, are made **without prejudice to, or disclaimer of**, the applicants' right to seek patent protection of any unclaimed (e.g., narrower, broader, different) subject matter, such as by way of a continuation or divisional patent application for example.

Since the applicants' remarks, amendments, and/or filings with respect to the Examiner's objections and/or rejections are sufficient to overcome these objections and/or rejections, the applicants' silence as to assertions by the Examiner in the Office Action and/or to certain facts or conclusions that may be implied by objections and/or rejections in the Office Action (such as, for example, whether a reference constitutes prior art, whether references have been properly combined or modified, whether dependent claims are separately patentable, etc.) is not a concession by the applicants that such assertions and/or implications are accurate, and that all requirements for an objection and/or a

rejection have been met. Thus, the applicants reserve the right to analyze and dispute any such assertions and implications in the future.

Respectfully submitted,

May 10, 2010

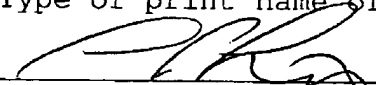

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CERTIFICATE OF FACSIMILE TRANSMISSION

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Leonard P. Linardakis

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May 10, 2010
Date